

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

BEN HENRY MITCHELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv993-D
	)	(WO)
WENDY ROBERTSON, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

There being no objections filed to the Recommendation of the Magistrate Judge (Doc. No. 4), said Recommendation is hereby adopted, and it is

CONSIDERED and ORDERED that this case be and the same is hereby DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

DONE this 9<sup>th</sup> day of November, 2005.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE